IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE, JURISDICTION

CRIMINAL WRIT PETITION NO.400 OF 2006

Mr.Yashvant Ramchandra Jadhav ...Petitioner.

Versus

The State of Maharashtra ...Respondent.

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Mr.M.J.Bhatt Advocate for the Petitioner.
Mrs.A.S.Pai, APP, for the State.

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CORAM : D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI, JJ.

DATED : MARCH 22, 2006.

P.C.:

. Heard.

2. Rule, returnable forthwith.

3. The petitioner is involved in 11 cases under the MPID Act as per Exhibit ‘D’ (page-16), wherein the particulars of C.R., numbers, police station, amount of the surety is given. In all these cases, anticipatory bail is granted to him. Mr.Bhatt submitted that the difficulty of the petitioner is that he cannot furnish surety in all the matters as he does not have that kind of financial support. And, therefore he prayed that

instead of surety, he be released on execution of P.R. bond in the cases specified at Exhibit 'D'. In this regard, the counsel for the petitioner placed reliance on unreported judgment of this Court **(Coram : D.G.Deshpande & V.M.Kanade, JJ) dated 24.11.2005 Dr.Umesh Marutisa Khade Vs. the State of Maharashtra,** and also placed reliance on order dated 21.03.2006 in Cri.Writ Petition No.399 of 2006, passed by us, wherein same facility was given to the accused looking to the number of cases in which that accused was involved. Therefore, same order, i.e. being released on P.R.Bond instead of surety be passed in case of arrest of the petitioner in C.Rs. mentioned in Exhibit 'D'. Thus, the petitioner to be released on his P.R. Bond of the amount specified in Exhibit 'D' i.e. as per the order of the concerned Court while granting anticipatory bail to the petitioner.

4. In prayer (c) in the petition, the petitioner has prayed for same relief in respect of different police stations in different Districts, as per Exhibit 'F', but the counsel for the petitioner modified that prayer in the

submissions and contended that if 6 police stations in Satara District, named in Exhibit ‘F’, register any offence under the MPID Act, and under Sections 406 and 420 of IPC, against the petitioner or M/s Adhunik Grihanirman Vittiya Corporation Ltd., and they decide to arrest him, they should give 72 hours notice to the petitioner prior to his arrest. Since the prayer is restricted to one District only, the same can be considered. We, grant that prayer i.e. if any of the 6 police stations in Satara District, named in Exhibit ‘F’, decide to arrest the petitioner they will give 72 hours notice to the petitioner prior to his arrest.

5. Petitioner to communicate this order to all the concerned 6 police stations in Satara District, named in Exhibit ‘F’, by RPAD, and this order will come into effect only from the date of communication of this order to the said Police Stations and on proof of acknowledgement by the petitioner.

6. The learned APP also contended that even though anticipatory bail is granted in some

matters, the petitioner is not cooperating with the investigating agencies in the investigation of those cases. She also states that the investigation is transferred to State C.I.D., Pune. In this view of the matter, the petitioner to attend the office of the State C.I.D. once in a week for three months, thereafter once in a fortnight for two months, and thereafter as and when required. Failure to comply with above conditions would entail cancellation of all facilities granted to the petitioner.

7. It is further directed that in case Mohpada Rasayani Police decide to arrest the petitioner in C.R.No.I-36/2005, which is under MPID Act, they should give him seventy two hours notice prior to his arrest.

8. Rule made absolute.

9. Certified copy expedited.

(D.G.DESHPANDE, J.)

(SMT.V.K.TAHILRAMANI,J.)